

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WORCESTER DIVISION

SOLMETEX, INC.)	Civil Action No.: 04-CV-40024-FDS
)	
Plaintiff,)	Judge: Saylor
)	
v.)	
)	
MAXIMUM SEPARATION)	
SYSTEMS, INC.)	
)	
Defendant.)	

SECOND JOINT MOTION TO EXTEND SCHEDULING CONFERENCE

The parties to this action respectfully request that this Court again extend the date for the Scheduling Conference, which is currently scheduled for February 10, 2005 until March 10, 2005 (or whatever date best suits the Court). The parties are also in agreement that the Defendant may have additional time, until February, 2005, to file an Answer.

As grounds for this Motion, the parties say as follows:

1. The parties are continuing to engage and move forward in settlement discussions and need more time to try to iron out some remaining issues.
2. The allowance of this Motion will not prejudice any party and will serve the interests of justice and judicial economy.

WHEREFORE, the parties respectfully request that this Court allow the requested extension.

Respectfully submitted,

SOLMETEX, INC.

Dated: 31 January 2005


Jonathan W. Fitch (BBO #168510)

jwf@sally-fitch.com

Kurt S. Kusiak (BBO #559254)

ksk@sally-fitch.com

Attorneys for Plaintiff

SALLY & FITCH LLP

225 Franklin Street, 30th Floor

Boston, MA 02110-2804

Tel: (617) 542-5542 Fax: (617) 542-1542

Of Counsel:

J. Robert Chambers (Ohio Reg. No. 0003942)

Bchambers@whepatent.com

Brett A. Schatz (Ohio Reg. No. 0072038)

Bschatz@whepatent.com

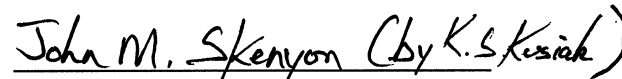
WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower, 441 Vine Street

Cincinnati, Ohio 45202

Tel: (513) 241-2324 Fax: (513) 241-6234

MAXIMUM SEPARATION SYSTEMS, INC.



John M. Skenyon (BBO #465440)

skenyon@fr.com

Fish & Richardson P.C.

225 Franklin Street

Boston, MA 02110-2804

Tel.: (617) 542-5070 Fax: (617) 542-8906

Of Counsel:

Rex B. Stratton, Esquire

Jennifer L. Jolley, Esquire

Stratton Ballew PLLC

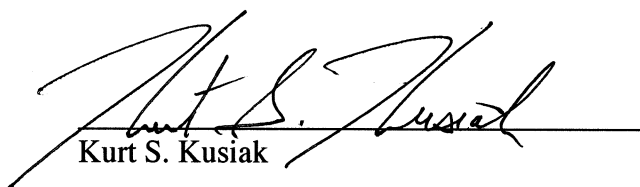
1411 Fourth Avenue, Suite 850

Seattle, WA 98101

Tel.: (206) 682-1496 Fax: (206) 682-0446

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2005 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: John M. Skenyon, counsel for Maximum Separation Systems, Inc., and I hereby certify that I have mailed by United States Postal Service the document to the following non CM-ECF participants: Jennifer L. Jolley and Rex B. Stratton, counsel for Maximum Separation Systems, Inc., Stratton Balley PLLC, 1411 Fourth Avenue, Suite 850, Seattle, Washington 98101.


Kurt S. Kusiak